

Testimony of State Representative Steve Wieckert

Assembly Bill 692 – Drug Dealer Eviction *Assembly Committee on Criminal Justice* *Room 225 Northwest – January 30, 2008*

Good morning Chairman Kleefisch and committee members. I am pleased to come before you today to discuss Assembly Bill 692, Drug Dealer Eviction.

This legislation would allow a landlord to evict a convicted drug dealer from an apartment with a two day notice

Drug dealers are not only breaking the law by selling illegal substances they are also destroying neighborhoods, hurting innocent law abiding families by reckoning havoc in the neighborhoods where the drug dealers are located. Incidental crime, vandalism, theft, and harassment are much more common in a neighborhood that has one or more drug dealers.

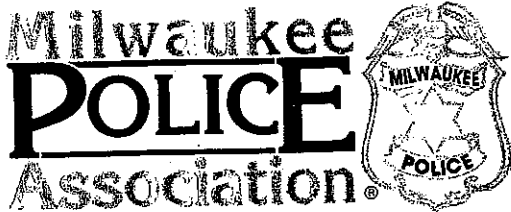
Drug Enforcement Administration Agents have reported that an important and effective way to reduce illegal drug activities is to not allow drug dealers to become established in a place to set up their illegal manufacturing or distribution operations. Fast track evictions as provided by this bill will help in this effort.

Current law provides one way a drug dealer can now be evicted is for a law enforcement agency to issue a nuisance notice to the landlord which would then allow the landlord to evict the problem tenant. This bill streamlines that process eliminating part of the bureaucracy and red tape of requiring a nuisance notice to be issued if there is an actual court conviction of a drug dealer. This bill also allows a landlord to evict a convicted drug dealer in two days as opposed to the current law which requires a minimum of a five day notice.

This bill is supported by the:

- Milwaukee Police Association
- Wisconsin Crime Prevention Practitioners Association
- Wisconsin Alliance of Cities
- Wisconsin County Police Association
- Wisconsin Rental Housing Legislative Council

Thank you. At this time I would be happy to answer any questions the committee may have.



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November 30, 2007

Representative Steve Wieckert
Room 16 West State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Representative Wieckert:

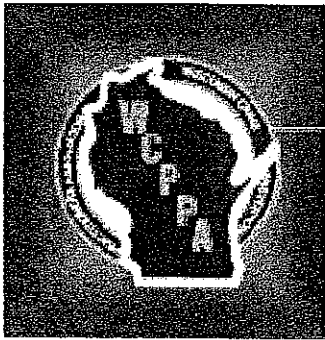
On behalf of the approximately 1,700 law enforcement officers in the Milwaukee Police Association (MPA) please accept this correspondence as our support for the proposed legislation relating to termination of a tenancy for a drug manufacture or distribution conviction.

Sincerely,

MILWAUKEE POLICE ASSOCIATION

Thomas E. Fischer
Vice President
Local #21, IUPA, AFL-CIO

TEF/cmj



Wisconsin Crime Prevention Practitioners Association

325 S. Broadway • De Pere, WI 54115 • 920-336-8070

December 14, 2007

To Whom It May Concern:

As President of the Wisconsin Crime Prevention Practitioners Association with a membership of over one hundred plus crime prevention officers, community policing officers, loss prevention personnel, citizen crime coalitions and others I strongly support Representative Steve Wieckert's Assembly Bill LRB3322.

LRB 3322, Fast Track Eviction of Drug Dealers is excellent legislation to assist landlords to evict convicted drug dealers from apartments with two days notice. Having criminals living in our neighborhoods makes our neighborhoods unsafe and unattractive. Legislation that can be enacted to make our communities more safe and secure is something our association supports. It is important to let criminals know that they and their activity is not wanted in our communities. Any time we can reduce the bureaucracy and red tape requiring a nuisance notice to be issued assists landlords in evicting criminals from their property. It will assist crime prevention and community policing officers in trainings in abatement programs around the state.

We thank Representative Wieckert's for his efforts to introduce strong legislation that tells criminals that they will be held responsible for their actions. A tough stance against crime is one way we can continue to make our communities throughout Wisconsin a safe place to live, work and play. And this should be a goal we all strive to achieve.

Crime Prevention Coordinator Deputy Steven L. Herman

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Safety increases for Neenah tenants; evictions, arrests change lifestyle at Primrose Apartments

By Duke Behnke

Post-Crescent staff writer January 7, 2008

NEENAH — Two years ago, Neenah police had an unwritten rule that no officer should respond to Primrose Apartments without backup.

Officers feared for their safety because the 72-unit, government-subsidized housing project on the city's southwest side had become a haven for drug activity, weapons and fights.

"You never went there alone," Police Chief Ray Appel recalled. "That speaks to how dangerous an area it was."

Today, Neenah police are free to enter the property alone. Officer Pam Martin, Neenah's crime prevention coordinator, said she recently brought a family member onto the property for a visit.

"I would have never done that before," said Martin, who landed in the hospital in 2005 after a fight with a drug suspect at the property. "I personally would feel comfortable living there."

Police have been so pleased with the turnaround at Primrose Apartments, 1316 Primrose Lane, that they recently sponsored a Christmas party for the tenants, which include 118 children.

Martin and Cheryl Fountaine-Kempf, community manager of Primrose Apartments, purchased gifts for the children, funded in part by the Neenah Police Benevolence Association. Appel played the role of Santa, handing out the gifts.

That's a far cry from August 2005, when Neenah police, in cooperation with the Lake Winnebago Area Metropolitan Enforcement Group, executed four simultaneous drug raids at Primrose Apartments and a nearby housing complex on Appleblossom Drive.

The raids involved 86 officers and resulted in the arrest of 10 alleged drug dealers from the



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Natalie Gilbert (center) plays a card game with some of her children (from left) Caitlin Wheeler, 17; Chelsea Gilbert, 5; and Isabella Wheeler, 15, Saturday at their residence at Primrose Apartments in Neenah. Post-Crescent photo by M.P. King.

Advertisement

About the issue

Primrose Apartments, a government-subsidized housing project in Neenah, was a troubled site with drug activity and fights. In September 2005, Dominion Management Services Inc. purchased the building and set about cleaning up the property. Since then, police have been called to the apartments less often.

Milwaukee or Chicago areas. Appel said it was the largest tactical operation ever conducted in northeastern Wisconsin.

"We recognized significant issues at Primrose Apartments," Appel said. "The percentage of calls (for police service) was many times greater than any other neighborhood in the city."

In September 2005, Dominion Management Services Inc. of Plymouth, Minn., acquired Primrose Apartments and set out to clean up the property.

The success was limited until mid-2006, when Dominion hired Fountaine-Kempf, who has 27 years of experience in property management. She has worked closely with Neenah police to stem criminal activity.

"It was a mess," she said of the property. "We had graffiti. We had cardboard and tinfoil in the windows. If they are blackening out their windows, there usually is something going on in those apartments, and you have to address it."

Dominium took a no-tolerance stance toward illegal drug use, tightened the screening process for tenants, installed a security system and fixed up the buildings and grounds.

Fountaine-Kempf evicted tenants who repeatedly violated rules.

"We have had 96 move-outs in a little over two years, and we only have 72 apartments," she said. "We have done a major cleanout."

Police reported a 44 percent drop in calls for service at Primrose Apartments after Dominion took control. The number of disturbances dropped 75 percent, and the number of drug and sexual assault investigations declined 50 percent.

Tenant Nancy Reese, who has lived at Primrose Apartments for 31 years, said she appreciates the changes enacted by Dominion.

"There is a better class of people out here," Reese said. "There were a lot of drugs around here — smoking pot in hallways, beer parties, things like that. People were letting their kids run wild. That's not allowed anymore."

Dick Gill, who has lived across the street from the complex for 25 years, also has noticed a difference.

"The last two years there hasn't been as much crime," he said. "It's been a lot quieter. People are more polite. All in all, it seems like we are getting a better bunch of neighbors."

Fountaine-Kempf said she meets with Neenah police every month to review the calls for service to Primrose Apartments, and she arms herself with that information to oust troublesome tenants.

"If the police department wasn't so apt to work so closely with me, there is no way I could have turned this property around as quickly as I did," she said. "The police department has been phenomenal."

Milwaukee POLICE Association

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January 30, 2008

COPY

Representative Joel Kleefisch
Criminal Justice Chairman
Room 8 West
State Capitol
PO Box 8952
Madison WI 53708

Dear Representative Kleefisch:

On behalf of the approximately 1,700 laws enforcement officers in the Milwaukee Police Association (MPA) please accept this correspondence as support for the following bills:

1. AB 624 Relating to civil immunity for neighborhood watch members.
2. AB 690 Relating to harassment of a person who is part of the neighborhood crime watch program.
3. AB 692 Relating to the termination of a tenancy for a drug manufacture or distribution conviction.
4. AB 603 Relating to the use of a facsimile firearm. (In favor of not speaking)

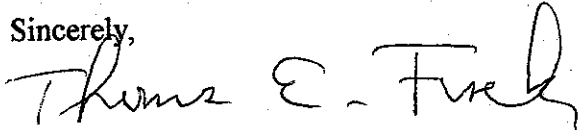
In regards to AB 624 and AB 690 neighborhood watch groups are an extra set of eyes and ears for a community. There have been several cases in the City of Milwaukee where neighbors watching out for other neighbors have not only prevented crimes from occurring but have assisted the police in the arrest of people for a wide variety of criminal activity. Upon checking with the Captain of the Community Affairs Division of the Milwaukee Police Department there are approximately 500 active neighborhood watch groups throughout the City of Milwaukee, who in total have several thousand active members. This legislation would give these citizens and others throughout Wisconsin the comfort of knowing that their good faith efforts regarding reporting suspicious activity in their neighborhood will protect them from being sued in court. I also learned that members of some of the various neighborhood watch groups are being intimidated and harassed by the criminal element in their neighborhood. This bill would help citizens continue to watch neighborhood activity with protection from those individuals who attempt to use methods to have these groups cease their neighborhood watch participation.

Representative Joel Kleefisch
January 29, 2008
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In regards to AB 692 it is needed to move the drug dealers out of our neighborhoods. Last year there were 103 letters sent to landlords by the Milwaukee Police Department informing them that properties that they owned were either being leased by suspected drug dealers or documented drug dealing had occurred at their property. This bill gives the owner of the property the opportunity to evict them sooner than currently happens. In the wording of the bill it uses "convicted of drug offense." If this is the true meaning of the proposed legislation I would encourage this committee to remove the word convicted. Currently in Milwaukee County Courts these drug cases can take anywhere from a few months to over two years to obtain a conviction thus making this bill ineffective.

The MPA supports these bills not only for the above stated reasons but also because the Police Departments and citizens need to continue to work together to reduce crime in our communities. We believe not only would these bills benefit law enforcement agencies but also the citizens throughout Wisconsin.

Sincerely,

A handwritten signature in cursive script that reads "Thomas E. Fischer". The signature is written in dark ink and is positioned below the word "Sincerely,".

Thomas E. Fischer
Vice President
Local #21, IUPA, AFL-CIO

TEF/cmj
OPEIU, Local #9-AFL-CIO-CLC